App F IX 1

Previous References (1941 ML) File No 108-41

Serial Nos 3, 4, 5, 6, 11

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for March 42

SUBJECT

Defalcation for Civil Revenue — Shimoga Taluk

Recorded with no orders for the present

OFFICE OF THE DEPUTY COMMISSIONER
SHIMOGA DISTRICT

No M 3 C 1432-PL 272/41-42
Enc One

Dated Shimoga the 5th Nov *19* 41

RC 108-41-3

26 38/C

GEN & R DEPT
-7 NOV 1941
LSG BRANCH

FROM

M Navaneetham Naidu Esq B A , B L ,
Deputy Commissioner Shimoga District

To

H.V Narayana Rao, Esq., B A , LL B ,
Secretary to the Government of His Highness the Maharaja of Mysore
Department BANGALORE

SECY LAW DEPT
6 NOV 1941
GOVT OF MYSORE

Subject — - - - - -

SIR

I have the honour to forward herewith a copy of the Shimoga Town Municipal President's letter No C 2 85/41-42 dated 2-11-1941 reporting that certain Octroi Export Passes have been tampered with with the result that there is a loss of R 84/- of Octroi Revenue and that the Octroi Manegar and Octroi Inspector who appear to be responsible for this have been placed under suspension The President has further stated that he is making an enquiry and will submit a final report in the matter in due course On receipt of his final report a further communication will be sent to Government in the matter

I have the honour to be,
Sir,
Your most obedient servant,
B Suryanarayana
For Deputy Commissioner,
Shimoga District

Law for perusal -
Final report in the matter
may be awaited
7/11/41

Law Secy for 7/11/41

OFFICE OF THE REGISTRAR
FOR L S G & P H
Date 11-11-41
No 2775

Minister for L S G & P H
11/11/41

11 11 41

14 11 41

Letter No C 2 85/41-42 dated 2nd November 1941 from the President, Town Municipal Council, Shimoga to the Deputy Commissioner Shimoga District, Shimoga

---

Subject - Tampering Octroi export passes and defalcation of about Rs 84/- of Octroi Revenue

---

I have the honour to state that on information received on 16-10-1941, the Chief Officer held an enquiry and has submitted a report regarding the tampering of export passes with dishonest motives The extent of loss of octroi revenue is stated to be about Rs 84/-

The Octroi Inspector and Octroi Manager appear to be at the bottom of this mischief I have placed them under suspension I am making further enquiry and will pass orders shortly

I will submit a final report in the matter in due course

'Copy'

S Suryanarayana Rao

For Deputy Commissioner,
Shimoga District

Defalcation of octroi Revenue - Shimoga Town Mcpy

3027

General and Revenue Secretariat | File No MC of 1941 | [App F III—2

	Serial No	
		No M 3 C 1432-272/41-42 dt 21 XI 41
		From The D C Shimoga
		Forwards the final report of the Pres'dent Shimoga Town Municipal Council re the misappropriation of Municipal Revenue by certain Officials
'A'		The President's report is for kind perusal The D C states that action will be taken to transfer A D Soans and Raghavendrachar whether the punishment proposed to be imposed by the Pres'dent is adequate and may be accepted is for orders
		Subs
		12/41 The loss of Rs 82 13 9 to the Mcpy is proposed to be recovered from the 3 men and departmental punishment be meted out to these & others
	1	Prosecution is not considered necy by the Pot & the DC also apparently agrees, though he does not say so This part of the proposal may perhaps be approved in view of the expenses involved in legal proceedings
	2	The recovery in the manner proposed may also be approved lest any delay should render the loss irrecoverable
		The D C may also be asked to furnish

NOTE—Contn Sheet

WD 04155—GPB—55 000—23 10-41

Defalcation of octroi Revenue, Shimoga Town Pelz

File No 3027/L of 194 General and Revenue Secretariat

Serial No 13

the particulars of service of Sowri & Raghavendrachar, age, pay total service etc, as also those of Ananthanarayanarao Stamps, On receipt of the directions as at 1 2 & 3 the file may be sent to Comptroller for favour of remarks on the existing system of accounting with a view to finding out if the Calls for any change to guard against similar defalcations in future Further punishment if any, recd, may perhaps be examined taken in the light of the particulars 4 to the letter of the D.C. Shimoga Draft dated 21-11-1941 as for perusal and orders.

A

4 The order of the President of the Shimoga Town Municipal dated 13 9 1941 sets forth in detail the circumstances under which the defalcation was rendered possible If there were better supervision exercised over the work of the staff, the misappropriation may not have taken place at all

Law Secy 2-12-41

OFFICE OF THE MINISTER FOR L S G & P H Dt 3-12-41 N 3328

SECY. LAW DEPT 2 DEC. 1941 GOVT OF MYSORE

12) For perusal

Minister L S G

Hm 3/12/41

13) As may be done

for

4 12 41 Hm 5/12/41 for

Defalcation of Octroi Revenue — Shimoga Mkt

3027/1

General and Revenue Secretariat | File No MU of 1941 | [App F III-2

Serial No

14 Sahs wk a off letter for appl

6/12/41 15 for perusal before issue

6/XII Approved, the file will be sent to the Comptroller immediately for necessary

1 Lawsuit for

17/12/41

16 Hm 16 12 41

17 Issue & resubmit

17/12/41

Letter No L 5242/MU 10 & 41-58 17 12 1941, Conveys approval of Govt to the method of recovering the misappropriated amount by the Officials concerned and to the proposed punishment for them mentioned

To The D C Shimoga Dist

Copy forwarded

Remembered apologies

17/12/41 Refer Para 9

Forwarded with Compliments and Records to be Completed Good for favour of remarks vide Letters of 13 Sept

No 336/Spl dated 12-1-42 L Law 17/12/41

U O No 321/C LAD dated 12th January 1942

Returned with Compliments -

On an examination of the circumstances under which

0 305 / 0 18/12

C L A D

19 379/Spl

No 53 C LAD 19 12 41

NOTE Contd Sheet

SECY LAW DEPT 15 DEC 1941 GOVT OF MYSORE

EVDA SECTION 16 DEC 1941 BEN - REV SECTT

SECTION 12 1942

WD 141 — G1 B—55 000—23-10-41

Serial No

the misappropriation of Octroi Revenue was made (as set forth in detail in the order memo dated 13-11-1941 of the Municipal President in the matter) it appears that the irregularity was committed by making alterations in and additions to the entries in the Export Passes with a view to show that more octroiable goods were exported than was actually the case, that the excess goods were really released into the town and that the duty thereon recovered by the Octroi Staff was misappropriated To correspond to the corrections made in the Export passes, necessary additions and alterations were made in the exit katte registers also

(7) Another point of importance that led to the irregularity is the disregard of the prescribed rules in the matter of collection of octroi revenue It is stated that although the Octroi Inspector had recovered the requisite duty from the consignees in two cases, he never issued the receipts to the parties as required by rules (vide para 7 of the President s orders relating to the case) If regular receipts had been issued by the Octroi Inspector, for every item of recovery of revenue then and there, the defalcation could not have been rendered possible Want of sufficient internal check, scrutiny and supervision of the work of the

Comptroller's Office | File No | of 194 _

Serial No

Octroi Inspector and the subordinate staff by the officers of the Municipality, may also be stated to be partly responsible for facilitating the defalcation As the defalcation in this case is thus simply the result of utter disregard of prescribed rules, want of adequate internal check in the office and supervisory control by the executive, it is perhaps not necessary to have any alterations in the existing rules which provide for sufficient safeguards in the matter

21) The question will further be examined in detail during the course of next local audit of the institution and a further report submitted to Government if any further points worth being taken notice of is brought to light

RR/9

M Viswanatha Iyer
Comptroller

Hm
12/1/42

22) The observations of the comptroller at paras 19 & 20 supra will be communicated to the D-e Ahmoguda, if approved

23) The further report promised above will be awaited

24) In perusal with regard to the

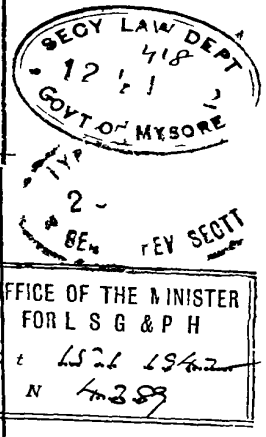
NOTE—Contn Sheet

Defalcation of octroi Revenue Shimoga Town

MCG

File No 38/3027 of 194_ Comptroller's Office

Serial No



Minister's order at para 13 supra

Law secy 1 for 12/1/42

For perusal

25) Minister (L S G) Hm 13/1/42

26) Law Secy 20/1/42

Hm 22/1/42

27) P M Sept for 22/1/42

NS

28) Ruled with a draft letter to the D C Shimoga, for approval

JR 24/1

The 26/1

29) Issue for 27/1/42

To

The D C Shimoga,

No L 6702 dt 3.2.42

Makes certain observations in regard to defalcation

To The Comptroller

No L 6703 dt 3 2 42

Copy forwarded

Sus A

JR

Ex

Defalcation of Octroi Revenue - Shimoga Town Municipality

4914 L

General and Revenue Secretariat | ML File No | of 1941 | [App F III-2

Serial No	
	Letter no S 2 163/41-42 dated 18-2-42 from the Deputy Commissioner, Shimoga Dist - furnishing further information in connection with the defalcation of Octroi Revenue in the Shimoga Muny.
	3rd) The information now furnished is in respect of the last para of this office letter dated 17-12-41
Flag B	
31)	Submitted with reference to para 3 supra
32) 28/2/42	It is seen that none of the 3 men, - Soans, Rajendrachar & Anantharamaswamy have either put in 25 years of qualifying service or have reached the 50th year of age. None could therefore be conveniently retired under the rule to Art 311 M S R in public interests. The first two men have been ordered to be transferred immediately from the Shimoga Mcty, as proposed by the D C. The last has been fined Rs 10/- In the circumstances no further action in this connection behalf is perhaps necessary
33)	Subject for order with reference to the Minutes of 4-12-41 at para 13 of the above

33 Lawrence 1/3/42

WD 041 GTB— 000—23 10 41

SECY LAW DEPT 1908 GOVT OF MYSORE

NOTE—Cont Sheet

Defalcation of Octroi Revenue - Shamgarh

From MCOfg

File No 4914/L of 194

General and Revenue Secretariat

Serial No

† No further action is necessary

Minister
L S S)

Ht
2
S 3 42
from
Sec
11 3 42

for 11/8/42

Secret

May this be recorded now (Vide para 23 supra) and taken up for reference when further report is recd from the Comptr & A G Shamgarh

Kmm 13/3/42

Sec 13/3

Yes pl for 13/3/42

B

F L S 5 3 42
S 3346

RC 108-41-4.

No M5[redacted]1432-272/41-42
Encs One

OFFICE OF THE DEPUTY COMMISSIONER
SHIMOGA DISTRICT.

Dated Shimoga the 21st NOV., 1941

3027/d
GEN & REV SECR
24 NOV 1941
L S G BRANCH

FROM

M avaneetham Naidu, Esq , B A , B L ,
Deputy Commissioner Shimoga District

To

H V Narayana Rao, Esq , B A , LL B ,
Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department Bangalore

SECY LAW DEPT
24 NOV 1941
GOVT MYSORE

Subject — Defalcation of Octroi Revenue - Shimoga Town Municipality

SIR

In continuation of this office letter of even number dated 5th November 1941 on the above subject, I have the honour to state that the President, Town Municipal Council, Shimoga, has submitted a final report in the matter, a copy of which is enclosed for kind reference It will be seen therefrom that after making a detailed enquiry the President has ordered as follows -

i that the amount misappropriated viz , Rs 82-13-9, should be recovered from the Octroi Inspector (Loans) Head Katte Lanegar (H Raghavendrachar) and S M Hussaini, Polkar in equal proportions

ii that those three should be suspended for three months each for their misconduct

iii that as Octroi Inspector, Loans and Lanegar Raghavendrachar have been in that Municipality for several years and that they may be transferred outside that Municipality

iv that Anantharamaswamy who has committed offences to oblige others is fined Rs 10/- and

v that the Mutsaddies and Polkars, who have tampered the Sub Katte registers, under the influence of their superior officials - Octroi Inspector and Lanegar are fined Rs 2/- each and that

vi Considering all the aspects of the case, the President is of the opinion that the departmental action (noted above) adequately meets the ends of justice

2 Separate action will be taken for transferring A D Loans

and

and H Raghavendrachar from this Municipality

I have the honour to be,
Sir,
Your most obedient servant,

21/11

For Deputy Commissioner,
Shimoga District.

Letter No 100/41-42 dated 13th November 1941 from the President, Town Municipal Council Shimoga, to the Deputy Commissioner, Shimoga District, Shimoga

---

Subject - Tampering Octroi Export Passes and defalcation of about Rs 84/- of Octroi Revenue

---

In continuation of Mysore letter No M 100/41-42 dated 2-11-1941 on the above subject, I have the honour to enclose herewith a copy of the Orders passed in the matter for favour of information

2) A D Soans Octroi Inspector and H Raghavendra Char Octroi Manegar who are working in this Municipality for more than 10 years may kindly be ordered to be transferred from this Municipality

---

"C o p y"

for Deputy Commissioner,
Shimoga District

Town Municipal Office,
Shimoga, dated 13th Nov 1941

SUBJECT - Misappropriation of Municipal Revenue by certain officials of the Octroi Branch of the Municipality

Order

The Chief Officer having got information that certain officials of the Octroi Branch had on 14th October 1941, tampered the entries in certain export passes issued from the Octroi Head Katte and misappropriated Municipal revenue, he held an enquiry and submitted a report dated 30-10-41, that entries in 8 export passes and the corresponding entries in the exit katte Registers had been tampered and a sum of Rs 82-13-9 had been misappropriated As from the report, it appeared that the Octroi Inspector A D Soans and the Octroi Manager H Raghavendra Char were primarily responsible for the offence, they were immediately placed under suspension pending further investigation and orders A preliminary report was submitted to the Deputy Commissioner in the matter and a full enquiry was made by me and statements of the following persons recorded

1 Balaji Singh, Kolkar 2-11-1941
2 Mahamed Sheriff Kolkar 3-11-1941
3 Gundappa Setty, Mutsaday 3-11-1941
4 Raghavendrachar Manegar 3-11-1941
5 M S Rego, Musaddy, 4-11-1941
6 Seshadri, Octroi Clerk, 5-11-1941
7 Anantharamaswami Kolkar 5-11-1941
8 B Siddappa, Mutsaddi, 6-11-1941
9 U Basappa, Mutsaddi, 6-11-1941
10 H Parasaiah, Mutsaddi, 6-11-1941
11 H K Chowdaiya, Kolkar 7-11-1941
12 K Ranjappa, Kolkar, 7-11-1941
13 Kempeeraiah, Kolkar 7-11-1941
14 A D Soans, Octroi Inspector 7-11-1941
15 S M Hussaini, Kolkar 8-11-1941
16 Mr C Parasappa, Merchant 9-11-1941
17 Mr Lakshmana Rao, Merchant, 9-11-1941

2 The statements of numbers 1, 2, 3, and 5 and 6 were recorded though they are in no way concerned with the misappropriation, just to find out how the information relating to the tempering of the Octroi passes and exit Katte registers came to light and the statements of No 4, 7, 8, 9, 10, 11,

12

12, 13 14, 15 relate to the alleged falsification of accounts and misappropriation No 15 has been examined on both the points Messrs C Parsappa and Lakshamana Rao, Nos 16 and 17have been examined as they are consignees of the octroiable goods in respect of which the misappropriation has taken place

3 The nature of the offence and the manner in which it was committed may be stated briefly as follows - Eight export passes have been altered by corrections of and additions to, the entries therein with a view to show that more octroiable goods were exported than was actually the case The excess goods were really released into the town and the duty or part of the duty on such goods was recovered from the parties and misappropriated In support of the corrections and additions made in export passes, necessary additions and alterations were made, in the exit Katte registers also

4 H Raghavendra Char Octroi Manegar has, in his statement dated 3rd November 1941, deposed that about 2 months ago Soans, Octroi Inspector and Hussaini Paigasta Polkar, came to the Head Katte and asked him and Arantharamaswamy to tamper the entries in the export passes that had been issued by the Octroi Head Katte, that he accordingly made alterations in Octroi passes, that on the night of 14-10-1941, the Octroi Inspector got the Sub Katte Mutsaddies and Polkars and got alterations effected in the Sub Katte registers in support of the alterations made in the export passes

5 The alterations made in one of the Octroi passes in question, are in the handwriting of Arantharamaswamy Polkar He has stated that he was asked by the Octroi Inspector and Hussaini to insert certain alterations in the Octroi export pass, as the original entries on it had been written by him and were in his writing As regards other particulars he corroborates what Raghavendrachar has stated

6 B Siddappa, U Basappa, H Parsaiya, H P Chowdaiya, Pempeeraiah who have made corrections in the Sub Katte attendance (diary) registers in support of the alterations made in the export passes, have stated that they were asked by the Octroi Inspector to make those false entries on the night of 14-10-1941 and they obeyed his instructions They state that the Octroi Inspector told them that they had been careless in making entries relating to exported goods in the diary books while they were on duty when those goods were exported, that the mistakes committed by them by carelessness had to be rectified to avoid detection of the mistakes by the auditors and that the original export passes were not available with him then, as they had been sent to the Record Room and that believing in what the Octroi Inspector said they made the alterations as desired by the Octroi Inspector and that they had no idea then that the Octroi passes had been already tampered and they were asked to tamper the diary books just to hide or support the alterations effected in the Octroi export passes

7 Husaini has stated that he was Paigasta Kolkar formerly, that while checking pending transit pas es to recover the duty due from consignees, the two consignees Messrs Basasappa and Lakshmana Rao told him that they had paid the Octroi duty due in respect of the consignments to the Octroi Inspector or the Paregar and that when he told this fact to the Octroi Inspector he informed him that Octroi duty due, had not been recovered from these merchants in full that he (Octroi Inspector) would grant receipts as soon as the full amount was recovered and requested him not to divulge these matters till then He says that he had prepared a list of the transit passes, on which duty has not been recovered When questioned why he did not give it to the Chief Officer or the President, he has stated that as the Octroi Inspector was his immediate superior, he gave the list to him He never mentions that he was present when the export passes and the Sub Katte registers were tampered

8 As regards Soans, the Chief Officer told me that he (Soans) had approached him and promised to speak the truth I therefore sent for them both on 9th instant and questioned Soans as to what had really happened He orally stated that ~~the~~ the Head Katte Manegar was a hopelessly indebted man, that he had received the octroi duty in all these cases and to cover up his sins he tampered the Octroi export passes, that he (Soans) knew that this was being done by the manegar but to save him, he did not probe into the matter and that he was not present when the passes or the registers were tampered he was told that this did not appear to be the whole truth and that all others had deposed against him, and the statements given by the others were shown to him He then said that what others had said was entirely false He also filed a written statement which he had prepared at home and brought with him I then asked him to come to me the next morning as I wished to put him one or two questions and elicit answers but the next morning he presented an application stating that I and the Chief Officer had taken statements from others behind his back just to incriminate him and exonerate Raghavendrachar As I found his behavior anything but satisfactory, I had to send him away without taking any further statement from him

9 The consignees Messrs Parasappa and Lakshmana Rao have been examined Mr Lakshamara Rao says that he has paid the duty on 5 or the 7 cases in which he is the consignee, either to Soans or the Manegar and that he has not kept any accounts and that in two cases he has exported the goods Mr Parasappa has stated that he has paid the duty in respect of the one item in which he is the consignee, to Soans himself in trust but did not take receipt

10 On examining the export pass books and Dokad registers, I find that in eight cases export passes and sub katte registers

have

have been tampered and loss of revenue has been caused as shown below -

	Export Pass No	Quantity of goods over written or inserted	Loss of duty caused Rs	As	Ps
1	1119/10-2-41	Cocoanut bags 12, Copra bags 3	10	5	0
2	1149/15-2-41	Cocoanut bags, 7, Copra bags 2	6	7	9
3	1218/23-2-41	Cocoanut bags 12, Copra bag 1	6	9	0
4	1271/8-3-41	Cocoanut bags 33	12	14	3
5	1303/8-3-41	Copra bags 2 Bengal Gaunds 3 4	4	2	0
6	1601/21-4-41	Copra bags 2 Bengal Gaunds 3 4	4	2	0
7,	1638/28-4-41	Cocoanut bags 55	21	7	9
8	1867/7-6-41	Copra bags 9	16	14	0
		Total	Rs 82	13	9

11 I have carefully considered the statements recorded in this case They leave no doubt in my mind that the Octroi Inspector, Soans, Octroi Manegar Raghavendra Char and S M Hussaini have recovered the duty or part of duty due on the goods falsely shown to have been exported, and misappropriated the duty so recovered, and tampered export passes or got them tampered, to hide the misappropriation committed Soans and Hussaini have got the export passes altered either in the writing of Raghavendrachar or by Anantharamaswamy and made them appear as the only culprits The Officials who have tampered the Sub Katte registers are only deluded tools in their hands and have tampered the entries in the registers without dishonest motives Anantharamaswamy has tampered the Octroi export passes knowing that fraud and falsification of accounts and misappropriation had been committed, but he has failed to report the fact to higher authorities with a view to help the perpetrators of misappropriation to hide it

12 Considering all aspects of the case, I have thought that

criminal prosecution is not necessary and that departmental action adequately meets the ends of justice and I order as follows -

(1) The amount misappropriated viz , 82-13-9 should be recovered from the Octroi Inspector Boans, Head Katte Manegar Raghavendrachar and S M Hussaini, in equal proportions

(2) These three should be suspended for three months each for their misconduct

(3) Octroi Inspector Boans and Manegar Raghavendra Char have been in this municipality for several years A reference may be made to the Deputy Commissioner to transfer them outside this Municipality

(4) Anantharamaswamy who has committed offences to oblige others is fined Rs ten

(5) The Putsaddies and Polkars who have tampered the Sub Katte registers under the influence of their superior officials, Octroi Inspector and Manegar, are fined Rs two each

"Copy

Deputy Commissioner,
Shimoga District

31

Appendix F G—1]

SUBJECT

Section M
File No 108-41
Serial No 5

Diary No of letter replied to

No L5-242

General and Revenue Secretariat

( )

the *19*

To The D C Thiruvarur with Thiruvarur

Date of issue 17th Dec '41

Signed by Mr. G. Rama Chandra Rao

Sir,

Subj:- Defalcation of Octroi Rev at Thiruvarur Loan refd

With refce to Correspondence ending with your letter No C 1432-27 of 41-2 dt 21.11.1941, reporting the action taken by the Head Peon of the Thiruvarur Town refd connection with defalcation of Octroi Rev in the refd, I am directed to convey the approval of Govt to the following proposals for the present:-

1) That legal proceedings may not be taken

(2) That the amount may appropriate Lr R Oct-13-9 should be recovered

List of enclosures

Copied by

Examined by

WD 0369—GIF— 0 000—29 1 40

from the ochor Inspector (Soares),
Head katte manager (M Raghavendrachar)
and S. M Hussain, Kottar, in equal proportions

3) That these three should be suspended
for three months each for their misconduct

4) That as ochor Inspector, Soares, and Manager
Raghavendrachar have been in the Mdy for
several years and that they may be dismissed immediately
outside the Mdy.

5) That Arunachalaswamy who has committed
offences to oblige others may be fined Rs 10/-

6) That the Mudaliars and Kottars who have
failed with the Lib katte Register, owing to influence
of their superior Officials — ochor Inspector and
Manager — be fined Rs 25/- each

I am further to request you to furnish
the particulars of service (age &c, pay
total services) of Soares, Raghavendrachar
and Arunachala Ramaswamy referred to above —

I have etc
Hm
16.12.41

for Secretary
Labour Dept
Govt of Mysore

Memo No 5243 dated 17th Dec 1941,
copy forwarded w/c to the Controller
for information

for Secretary
Labour Dept
6/12/41

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

D No 15242/HC108-41-5 *Dated Bangalore* 12th December 1941

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore

To Law Department

The Deputy Commissioner,
Shimoga District, Shimoga

Sir,

Subject Defalcation of octroi Revenue in Shimoga Town Municipality

With reference to correspondence ending with your letter No M3 C 1432-272 of 1941-42 dated 21st November 1941, reporting the action taken by the President of the Shimoga Town Municipality in connection with defalcation of Octroi Revenue in the Municipality, I am directed to convey the approval of Government to the following proposals for the present -

1) that legal proceedings need not be taken

2) that the amount mis appropriated viz , Rs 82-13-9 should be recovered from the Octroi Inspector (Soans), Head Katte Manager (H Raghavendrachar) and S M Hussani, Kolkar, in equal proportions

3) that these three should be suspended for three months each for their misconduct

4) that as Octroi Inspector, Soans, and Manager Raghavendrachar ~~have been~~ in the Municipality for several years ~~and that~~ they may be transferred ~~outside~~ immediately outside the Municipality

5) that Anantharamaswamy who has committed offences to oblige others may be fined Rs 10/- and

6) that the Mutsaddies and Kolkars who have tampered with the Sub Katte Registers, under the influence of their superior officials - Octroi Inspector and Manager - be find Rs 2/- each

I am further to request you to furnish the particulars of service (viz age, pay, total service etc ,) of Soans, Raghavendrachar and Anantharamaswamy referred to above

I have the honour to be,
Sir,
Your most obedient servant,

Sd H V Narayana Rao,

Secretary to Government,
Law Department

Memo No L5243/17C Dated 17th December 1941

Copy of the above is forwarded, with compliments to the Comptroller to the Government of Mysore, for information

By Order,

Secretary to Government,
Law Department

Appendix F G—1]

SUBJECT

3

Section Jud

File No 108-41

Serial No 6.

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

Date of issue 25 Feby-42

Signed by Mr G-Ramachandra Rao.

List of enclosures

Copied by

Examined by

No L6702

To The D C, Shimoga Dist

Sir, In Continuation of this office ~~letter to Correspondence~~ L/5242/ ~~ending with your~~ letter No Ad-3 Jud 108-41-5 dt 17 12 41 C-1432-272/41-42 dt 21-11-41 ~~forwarding the final report of the President, Shimoga Town Jud Cl regarding~~ on the defalcation of Octroi Revenue by certain officials in the Shimoga Town Mlty, I am directed to state that, on an examination of the circumstances under which the misappropriation of Octroi Revenue was committed (as set forth in detail in the Order Memo of the President)

D/13 11 41

WD 03695—GIB— 0 000—29 1 40

it appears that the irregularity was committed by making alterations in, and additions to, the entries in the Export Passes Book with a view to show that more octroiable goods were exported than was actually the case, that excess goods were really released into the Town and that the duty thereon recovered by the Octroi Staff was misappropriated To correspond with the corrections made in the Export Passes, necessary additions and alterations were made in the Excise Katte Registers also

2. The Another point of importance that led to the irregularity is the disregard of the prescribed rules in the matter of collection of Octroi Revenue It is stated that although the Octroi Inspector had recovered the requisite duty from the Consignees in two cases, he never issued the receipts to the parties as required by rules (vide Para 7 of the President's order relating to the case) If regular receipts had been issued by the Octroi Inspector for every item of recovery of

Contd in the next Page

G R S App. F G 3

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form)

revenue then and there, the defalcation could not have been rendered possible Want of sufficient internal Check, Scrutiny and Supervision of the work of the Octroi Inspector and the Subordinate Staff by the officers of the Municipality is may also be stated to be partly responsible for ~~A~~ facilitating the defalcation. The defalcation in this case is thus simply the result of utter disregard of the prescribed rules, Want of adequate internal check in the office and Supervisory Control by the executive; it is perhaps not necessary to have any alterations in the existing rules which provide for sufficient safeguards in the matter

WD 0186—GPR—15 000—6 9 34

However, if the report provided
in your letter under reply may
be expedited
the observations made above among
MLC
3 the further particulars called for in the other letter dated 26/1/42
are awaited

I have etc

for Secy to Govt

Memo No L6703/ dated 3rd Feb 3-42

To Law Dept

26/1/42 Copy to Collector W/c with

Ref to the 2 cross NB 321/C dtd 3
12 1942 with the information that
the further report if any is awaited
after the next local Audit of the accounts of the
MLAs

Boo

for Secy to Govt

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 6702/171 108-41-6 Dated, Bangalore 30 February 1942

FROM

The Secretary to the Government of His Highness
the Maharaja of Mysore
Law Department

To

The Deputy Commissioner,
Shimoga District, Shimoga

Sir,

In continuation of this office letter No L 5242/M1 108-41-41-5, dated 17th December 1941 regarding the defalcation of Octroi Revenue by certain officials in the Shimoga Town Municipality, I am directed to state that on an examination of the circumstances under which the misappropriation was committed (as set forth in detail in the Order No 13 11 41 of the President) it appears that the irregularity was committed by making alterations in, and additions to, the entries in the Export Passes with a view to show that more octroiable goods were exported than was actually the case, that excess goods were really released into the Town and that the duty thereon recovered by the Octroi Staff was misappropriated. To correspond to the corrections made in the Export Passes, necessary additions and alterations were made in the Exit Register also.

Another point of importance that led to the irregularity is the disregard of the prescribed rules in the matter of collection of Octroi Revenue It is stated that although the Octroi Inspector had recovered the requisite duty from the consignees in two cases, he never issued the receipt to the parties as required by rules (Vide para 7 of the President's order relating to the case) If regular receipts had been issued by the Octroi Inspector for every item of recovery of revenue then and there, the defalcation could not have been rendered possible for want of sufficient internal check, scrutiny and supervision of the work of the Octroi Inspector and the Subordinate staff by the Officers of the

(P T O)

facilitating [illegible] The defalcation in this case is thus simply the result of utter disregard of the prescribed rules, want of adequate internal check in the office and supervisory control by the executive. The observations made above may be kindly communicated to the Municipal Council with the instruction that the occurrence of such defalcations should be guarded against by observing the rules and standing orders in this respect.

3 The further particulars called in this office letter referred to above are awaited

I have the honour to be,

Sir,

Your most obedient servant

Sd H V Narayana Rao

Secretary to Government,
Law Department

Misc/3

Memo No L6703/42 Dated, Bangalore the 32nd February 1942

Copy of the above is forwarded with compliments to the Comptroller to Government with reference to his Unofficial Note No 2321/C L A D dated 12th January 1942 with the intimation that this further report, if any, is awaited after the next local audit of the accounts of the Municipality

By Order,

Ramachandra

for Secretary to Government,
Law Department.

4914/L

22 FEB 1942

GOVERNMENT OF MYSORE

T letr pl Add

ML 108 41-14

OFFICE OF
The Deputy Commissioner,
Shimoga District,
Shimoga,
Date 18th February 1942

No Encls No S 2 163/41-42

To

H.V Narayana Rao Esq., B A., LL B,
Secretary to the Government of His Highness the
Maharaja of Mysore
Law Department,
Bangalore

SECY LAW DEPT
20 FEB 1942
GOVT OF MYSORE

With reference to your letter No L 5242/ML 108-41-5 dated 17-12-41 conveying the approval of Government to the proposals of the President of Shimoga Municipality in connection with the defalcation of Octroi Revenue in that Municipality and requesting me to furnish the particulars of service (viz age pay, total service etc) of A D Soans H Raghavendrachar and Anantharamaswamy etc , I have the honour to note in the margin, the required particulars of the officials referred to above

I have the honour to be,
Sir,
Your most obedient servant,

For Deputy Commissioner,
Shimoga District

Sl No	Name	Designation	Pay	Age	Total service	Total service in the Shimoga Municipality
1	A D Soans	Octroi and Toll Inspector(Temporary) Shimoga Municipality	30/-	40½ years	16½ yrs	14 years
2	H Raghavendrachar	Octroi Manager, Shimoga Municipality	25/- in grade 25-1-40	48 years	21¼ yrs	21¼ yrs
3	Anantharamaswamy	Acting Kolkar, Shimoga Municipality	Rs 12/-	26 yrs	2 years	2 years

G V /